

PROMESA COVER SHEET

Case 17-03258-LTS Document 100-46 Filed 05/19/19 Entered 05/19/19 20:45:00 Desc: Cover Sheet Page 1 of 2

CASE NUMBER

(Court Use Only)

PLAINTIFFS (DEBTOR, if Title III Petition; ISSUER, if Title VI Application)

The Special Claims Committee of The Financial Oversight and Management Board for Puerto Rico, acting by and through its Members and the Official Committee of Unsecured Creditors of all Title III Debtor (other than COFINA), as co-trustees respectively, of the Employees Retirement System of the Government of Puerto Rico

DEFENDANTS**Defendant 1F and Defendant 2F****ATTORNEYS (Firm Name, Address, and Telephone No.)****BROWN RUDNICK LLP**

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ATTORNEYS (If Known)**PARTY (Check One Box Only)**

- ☒ Debtor
☒ Creditor
☐ Trustee
☐ U.S. Trustee/Bankruptcy Admin
☒ Other

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- ☐ Debtor
☐ Creditor
☐ Trustee
☐ U.S. Trustee/Bankruptcy Admin
☒ Other

CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)

Action for declaratory judgment, avoidance of constructive fraudulent transfer under 11 U.S.C. 544, 548 and 550 and 31 LPRA 3491-3500, New York Debtor and Creditor Law 273 and 273-a, and 26 USC 6502(a)(1); action for recovery of unlawful disbursements under 3 L.P.R.A. 283; action for disallowance of claims under 11 U.S.C. 502

NATURE OF SUIT

- ☐ PROMESA Title III Petition ☐ PROMESA Title VI Application for Approval of Modifications ☐ Other Federal Question ☒ Adversary Proceeding ☒ Demand

If Adversary Proceeding is checked, number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc., below:

FRBP 7001(1) - Recovery of Money/Property

- ☐ 11-Recovery of money/property - \$542 turnover of property
☐ 12-Recovery of money/property - \$547 preference
2 13-Recovery of money/property - \$548 fraudulent transfer
3 14-Recovery of money/property - other

FRBP 7001(2) - Validity, Priority or Extent of Lien

- ☐ 21-Validity, priority or extent of lien or other interest in property

FRBP 7001(5) - Revocation of Confirmation

- ☐ 51-Revocation of confirmation

FRBP 7001(7) - Injunctive Relief

- ☐ 71-Injunctive relief - imposition of stay
☐ 72-Injunctive relief - other

FRBP 7001(8) Subordination of Claim or Interest

- ☐ 81-Subordination of claim or interest

FRBP 7001(9) Declaratory Judgment

- 1 91-Declaratory judgment

FRBP 7001(10) Determination of Removed Action

- ☐ 01-Determination of removed claim or cause

Other

- ☐ 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

TITLE III CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES**NAME OF DEBTOR**

The Employees Retirement System of the Government of Puerto Rico

CASE NO.

17-BK 3566-LTS

DISTRICT IN WHICH CASE IS PENDING

USDC – Puerto Rico

DIVISION OFFICE

San Juan

NAME OF JUDGE

Laura Taylor Swain

RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH CASE IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) /s/ <i>Edward S. Weisfelner</i>		
DATE May 19, 2019	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Edward S. Weisfelner	

THIS FORM IS TO BE USED EXCLUSIVELY FOR FILINGS RELATING TO THE PUERTO RICO OVERSIGHT MANAGEMENT AND ECONOMIC STABILITY ACT (PROMESA). FOR ADMINISTRATION PURPOSES **ONLY**, THE PUBLIC DOCKETS FOR PROMESA PROCEEDINGS UNDER TITLE III AND ADVERSARY PROCEEDINGS WILL BE MAINTAINED ON THE CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF) SYSTEM OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO. THESE CASES ARE UNDER THE JURISDICTION OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO.

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